



Paula W. Foley
Regulatory Affairs Counsel
220 Bear Hill Road
Waltham, MA 02451
781-466-1220 Tel.
781-622-2180 Fax
pfoley@onecommunications.com

Via Electronic Mail and Overnight Delivery

May 30, 2008

Lynn Fabrizio, Staff Attorney/Hearings Examiner
New Hampshire Public Utility Commission
21 S. Fruit Street, Suite 10
Concord, NH 03301

Re: Verizon New England Inc. and FairPoint Communications, Inc. — Joint Application for Approvals Related to Verizon's Transfer of Property and Customer Relations to Company to be Merged With and Into FairPoint Communications, Inc., DT 07-011

Dear Ms. Fabrizio:

On May 22, 2008, the Staff of the New Hampshire Public Utilities Commission ("Commission") distributed to the parties in this proceeding Liberty Consulting Group's¹ Assessment of FairPoint's Cutover Readiness Verification Plan ("Liberty Assessment"). Commission Staff requested informal comments from parties on the Liberty Assessment by May 30, 2008.² As an initial matter, One Communications³ commends Liberty and FairPoint Communications Inc. ("FairPoint") for identifying and addressing a myriad of issues and risks raised by the pending cutover. However, as discussed below, there are several issues which need to be addressed more fully.

I. DISCUSSION

Of great interest to One Communications are FairPoint's plans for (1) training and systems testing for competitive local exchange carriers ("CLECs"), and (2) staffing and training of its own employees. Both of these issues directly affect One Communications'

¹ The Maine Public Utilities Commission, the New Hampshire Public Utilities Commission and the Vermont Department of Public Service have engaged Liberty Consulting Group ("Liberty") to monitor the cutover from Verizon's systems to FairPoint's systems.

² The Maine Public Utilities Commission has also requested comments on Liberty's Assessment and we are filing identical comments in the corresponding Maine proceeding.

³ Choice One Communications of New Hampshire LLC, Conversent Communications of New Hampshire Inc, Lightship Telecom LLC, and CTC Communications Corp. do business in New Hampshire as One Communications.

ability to provide service to its own customers, and any failure of FairPoint's performance in these areas will have significant anticompetitive effects. FairPoint has not fully developed or implemented its plans for these areas. Moreover, because FairPoint must demonstrate cutover readiness to Liberty by early July 2008 to be consistent with the proposed cutover schedule,⁴ a great deal of work must be completed in both of these areas within the next few weeks.

A. CLEC Training and Testing

The Liberty Assessment concludes that "FairPoint has provided adequate notice to the wholesale community about the cutover process and the testing plans and schedules." Liberty Assessment at 6. In fact, over the past few months, FairPoint has twice rescheduled CLEC user test plans. CLEC training and testing is not scheduled to begin until June. According to FairPoint's proposed Key Milestones and Dependencies, CLEC Phase I and CLEC Phase II testing should have been completed by May 23, 2008. Liberty Assessment, App. A at 7.⁵ But to date, One Communications participation in the new systems has been limited to a demonstration by WISOR of the proposed graphical user interface ("GUI"). In Liberty's view, FairPoint may have provided adequate notice to One Communications regarding yet-to-be-held, rescheduled CLEC training and testing opportunities, but notice is not sufficient to confirm cutover readiness. Actual, successful CLEC training and testing must occur.⁶

In addition, FairPoint will need to remedy any problems uncovered during the upcoming CLEC training and testing process. Given the early July deadline, One Communications concludes that it will be very difficult for Liberty to provide a meaningful confirmation that FairPoint has achieved cutover readiness with regard to the adequacy of CLEC training and testing. This is an area of great importance to One Communications given the quantity of our population of employees that will be required to have some level of training and understanding of FairPoint's systems interface and various processes. Approximately 475 One Communications employees will require training and familiarity

⁴ Given the hearings and technical conferences scheduled for mid-July, Liberty has concluded that "assessment of FairPoint's readiness to cutover in September will depend on FairPoint's providing Liberty with sufficient information to demonstrate cutover readiness by the end of the first full week in July." Liberty Cutover Monitoring Status Report (May 9, 2008) (*available at* http://mpuc.informe.org/easyfile/cache/easyfile_doc205643.pdf) ("Liberty May Status Report").

⁵ There may be other discrepancies with the Key Milestones and Dependencies section of FairPoint's Plan. For example, Liberty states that "FairPoint has already begun the 'train-the-trainer' sessions to educate the trainers in the use of the new systems" (Liberty Assessment at 13), however, FairPoint's Key Milestone for this activity indicates that its Train-the-Trainer sessions ended on April 11, 2008. *Id.*, App. A at 11. While Liberty acknowledges that "some of the dates shown in this appendix are no longer applicable" (*id.* at 4), Liberty does not specifically identify which dates are no longer applicable in its Assessment of FairPoint's Plan.

⁶ One Communications is also concerned with Liberty's observations in its Assessment that, to date, FairPoint has provided no test cases to Liberty that address ordering, provisioning and billing of complex wholesale products or wholesale usage. Liberty Assessment at 6-7. In its Assessment, Liberty asserts that Capgemini will address these testing gaps by May 30, 2008. *Id.* at 7. Because this is also an area of great concern to One Communications, we urge Liberty to provide confirmation in its June Status Report that Capgemini has done so.

with FairPoint's systems prior to cutover. This is an extremely aggressive undertaking given the delayed start of the training sessions and the limited amount of time available. It will require significant internal resources to coordinate successfully, as well as substantial effort on the part of FairPoint to develop and conduct the training program and remedy problems identified in the process.

B. FairPoint Staffing and Training

A second area of concern to One Communications is Liberty's review of FairPoint's own staffing levels and employee training. Staffing has been a difficult area for One Communications to assess independently, given that FairPoint's employee tracking reports, new hire reports, and staffing plans are not available to One Communications or the public.⁷ But, through daily, direct contact with FairPoint, it has become clear that FairPoint's current staffing is "light," at least on the wholesale side. Therefore, we are troubled by Liberty's conclusion that "it may not be necessary for FairPoint to fill all . . . positions by cutover and certainly not by the time it must declare cutover readiness" Liberty Assessment at 13.

Under other circumstances, staffing only "key" positions⁸ might be sufficient. However, this cutover is an extraordinary event. One Communications suggests that, in addition to filling key positions, a significant majority of the 2700 positions FairPoint inherited from Verizon as well as the 675 new positions that FairPoint itself anticipates will be needed to run its business should be in place, with sufficiently skilled personnel, to verify cutover readiness.

One Communications has a similar concern with regard to FairPoint's training of its own employees, particularly those engaged in wholesale services, similar to our concern about FairPoint's training of CLEC employees. In its Assessment, Liberty cautions that:

[t]he most current training plan Liberty has reviewed requires only very few courses to have been completed by the planned July date for announcing cutover readiness. Moreover, those courses that are planned for that time period do not provide coverage of all the key business organizations and processes.

Liberty Assessment at 14. Similarly, in its May Status Report, issued less than two weeks before the Assessment, Liberty states that it "continues to be concerned that the success of the employee training may not be possible to assess adequately by early July." Liberty May Status Report at 3. Liberty then changes direction and concludes that "it makes little sense

⁷ When FairPoint has provided these document to the Maine Public Utilities Commission, it has claimed "highly confidential" status for them. "Highly confidential" status prohibits distribution of documents to One Communications and other CLECs.

⁸ We agree with Liberty that correct definition of those positions that are considered "key" is critical. *See* Liberty Assessment at 13. However, Liberty will not make the determination whether FairPoint has correctly identified those positions until July. It is not clear why key positions cannot be identified at this stage.

to administer training [to FairPoint employees] too early, because the students are at significant risk of forgetting what they have learned . . .” Liberty Assessment at 14.

One Communications questions Liberty’s assertion that a two-plus month period of time presents a significant risk that FairPoint employees will not be able to retain information gained through training. Given the critical importance and complexity of the operations systems, compressing training into a short period risks inadequate cutover readiness. In addition, Liberty’s cutover readiness requirement of “a few employees in all the key organizations will have completed training [by July]”⁹ is too vague to be sufficient to demonstrate cutover readiness. Instead, One Communications urges that employee training requirements should be more comprehensive and spelled out in much greater detail in order for FairPoint to successfully establish cutover readiness.

II. CONCLUSION

One Communications appreciates the opportunity to provide comments to the Commission Staff and Liberty on Liberty’s Assessment of FairPoint’s Cutover Readiness Verification Plan. For the reasons discussed above, One Communications respectfully requests that FairPoint’s cutover readiness verification requirements be revised consistent with the comments herein.

May 30, 2008

Respectfully Submitted,



Paula W. Foley

cc: DT 07-011 Service List (electronic mail)

⁹ Liberty Assessment at 14. Like the term “key positions” discussed in n.8 above, the term “key organizations” is undefined in the Assessment.